

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Casey McCann	Team: Squad #11	CCRB Case #: 201809686	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 11/06/2018 1:15 PM	Location of Incident: § 87(2)(b)	Precinct:	18 Mo. SOL 5/6/2020	EO SOL 12/21/2020	
Date/Time CV Reported Mon, 11/19/2018 12:30 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 11/19/2018 12:30 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
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§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. An officer			Unknown
2. DT2 Richard Thompson	05977	902473	WARRSEC
3. SDS Christophe Castle	03409	928041	WARRSEC
4. DT2 Michael Langellotti	00119	901811	WARRSEC
5. DT2 Joseph Condello	07746	911900	WARRSEC

Officer(s)	Allegation	Investigator Recommendation
A.DT2 Richard Thompson	Abuse: Detective Richard Thompson entered § 87(2)(b)	§ 87(2)(g)
B.DT2 Richard Thompson	Abuse: Detective Richard Thompson entered § 87(2)(b)	§ 87(2)(g)
C.SDS Christophe Castle	Abuse: Sergeant Christopher Castle entered § 87(2)(b)	§ 87(2)(g)
D.DT2 Michael Langellotti	Abuse: Detective Michael Langellotti entered § 87(2)(b)	§ 87(2)(g)
E.DT2 Joseph Condello	Abuse: Detective Joseph Condello entered § 87(2)(b)	§ 87(2)(g)
F.SDS Christophe Castle	Abuse: Sergeant Christopher Castle damaged § 87(2)(b) s property.	§ 87(2)(g)
G.DT2 Joseph Condello	Abuse: Detective Joseph Condello threatened § 87(2)(b) is § 87(2)(b) and § 87(2)(b) with the use of force.	§ 87(2)(g)
H.DT2 Joseph Condello	Abuse: Detective Joseph Condello threatened § 87(2)(b) with the use of force.	§ 87(2)(g)
I.DT2 Joseph Condello	Abuse: Detective Joseph Condello threatened § 87(2)(b) with the use of force.	§ 87(2)(g)
J. An officer	Force: An officer used physical force against § 87(2)(b)	§ 87(2)(g)

Officer(s)	Allegation	Investigator Recommendation
K. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b)	§ 87(2)(g)
L.DT2 Richard Thompson	Abuse: Detective Richard Thompson refused to show the arrest warrant to § 87(2)(b)	§ 87(2)(g)
M. An officer	Abuse: An officer entered § 87(2)(b)	§ 87(2)(g)

Case Summary

On November 19, 2018, § 87(2)(b) filed this complaint on the CCRB's website.

On November 6, 2018, at approximately 1:15 p.m., members of the New York/New Jersey Regional Fugitive Task Force, including Detective Richard Thompson, Sergeant Christopher Castle, Detective Michael Langellotti, and Detective Joseph Condello, all of the Warrant Section, went to § 87(2)(b) § 87(2)(b) pursuant to an arrest warrant for § 87(2)(b) husband, § 87(2)(b). Several other law enforcement agencies were also present at the location.

Det. Thompson entered § 87(2)(b) § [REDACTED] § [REDACTED].
(Allegation A: Abuse of Authority, § 87(2)(g) [REDACTED] Det. Thompson, Sgt. Castle, Det.
 Langellotti, and Det. Condello entered § 87(2)(b) § [REDACTED] and Sgt. Castle
 damaged § 87(2)(b) property (**Allegations B-E: Abuse of Authority,** § 87(2)(g) [REDACTED] and
Allegation F: Abuse of Authority, § 87(2)(g) [REDACTED]). Det. Condello allegedly pointed a taser at § 87(2)(b) [REDACTED]
 and § 87(2)(b) [REDACTED] (**Allegation G:
 Abuse of Authority,** § 87(2)(g) [REDACTED]). Det. Condello pointed a taser at § 87(2)(b) [REDACTED] and § 87(2)(b) [REDACTED]
 (§ **Allegation H: Abuse of Authority,** § 87(2)(g) [REDACTED] and **Allegation I: Abuse of
 Authority,** § 87(2)(g) [REDACTED]). An officer allegedly used physical force against § 87(2)(b) [REDACTED] and
 spoke discourteously to § 87(2)(b) [REDACTED] (**Allegation J: Force,** § 87(2)(g) [REDACTED] and **Allegation
 K: Discourtesy,** § 87(2)(g) [REDACTED]). Det. Thompson refused to show the arrest warrant to
 § 87(2)(b) [REDACTED] (**Allegation L: Abuse of Authority,** § 87(2)(g) [REDACTED]). After § 87(2)(b) [REDACTED] was arrested,
 an officer allegedly reentered § 87(2)(b) § [REDACTED] to obtain dropped belongings
 (**Allegation M: Abuse of Authority,** § 87(2)(g) [REDACTED]).

§ 87(2)(b) was arrested pursuant to an arrest warrant. No other individuals were arrested or summonsed during this incident.

Cell phone footage of this incident was obtained and will be discussed in further detail below.

Findings and Recommendations

[illegible]

§ 87(2)(b) (BR 11) said that after officers forcibly entered her apartment and arrested § 87(2)(b) which will be discussed in further detail below, she saw two women downstairs, who were visiting the men that live on the first floor. The women were hysterically crying and told § 87(2)(b) that before the officers went to the second floor, they went inside the apartment on the first floor. § 87(2)(b) did not know the names or contact information for the individuals who live on the first floor.

Det. Thompson (BR 12) testified that he and his team, including Sgt. Castle and Det. Langellotti, arrived at § 87(2)(b) § 87(2)(b) approximately 8 a.m. and conducted surveillance of the location until approximately 1 p.m. Det. Thompson never saw § 87(2)(b) enter or exit the home. After conducting visual surveillance, the officers collectively decided to knock on the door of the first floor. When Det. Thompson knocked on the door, two men came to the door and opened it. Det. Thompson stood inside the hallway of the apartment and showed one of the males a photograph of § 87(2)(b). The male told Det. Thompson that § 87(2)(b) lived at the back of the building.

§ 87(2)(g) Sgt. Castle said Det. Thompson told him that the male occupant specified that § 87(2)(b) lived in the rear of the second floor. None of the officers knew whether Det. Thompson physically entered the first-floor apartment to speak with the occupant.

The investigation mailed three letters § 87(2)(b) § 87(2)(b), but no one responded to these letters. A LexisNexis database returned a telephone number associated with the apartment, but the number was not in service. A CLEAR search did not return any additional telephone numbers for the first-floor apartment. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (B) Abuse of Authority: Detective Richard Thompson entered § 87(2)(b) § 87(2)(b)

Allegation (C) Abuse of Authority: Sergeant Christopher Castle entered § 87(2)(b) § 87(2)(b)

Allegation (D) Abuse of Authority: Detective Michael Langellotti entered § 87(2)(b) § 87(2)(b)

Allegation (E) Abuse of Authority: Detective Joseph Condello entered § 87(2)(b) § 87(2)(b)

Allegation (F) Abuse of Authority: Sergeant Christopher Castle damaged § 87(2)(b) **property.**

§ 87(2)(b) (BR 11) said that she was inside her home when she saw several black Ford SUVs through her window. § 87(2)(b) was standing near the window in the living room. § 87(2)(b) heard a voice say, “You in the shorts. We’re here for you. Surrender yourself.” § 87(2)(b) and all of her children then went into the bedroom with § 87(2)(b) and sat on the bed. § 87(2)(b) then heard banging on her back door and two to three male voices say, “Open up the door,” “Surrender yourself,” and, “We’re going to bust down the door.” § 87(2)(b) asked § 87(2)(b) to get his sneakers because he knew he was going to be arrested. Approximately 25

to 30 seconds later, the officers broke § 87(2)(b) door, causing damage to the deadbolt and paneling to fall off the wall. Five to six plainclothes officers entered the apartment.

§ 87(2)(b) (BR 16), who the undersigned interviewed via VTC while § 87(2)(b) was incarcerated at Vernon C. Bain Correctional Center, § 87(2)(g), § 87(2)(b) but said that an officer, determined to be New York State Parole Officer Canario broke a small glass window on the door, put his hand through the broken pane, and turned the doorknob to make entry.

§ 87(2)(b) did not allow the investigation to interview her two eldest children, § 87(2)(b) and § 87(2)(b).

Det. Thompson (BR 12) said that after the occupant of the first floor said that § 87(2)(b) lived at the rear of the building, 20 to 25 officers proceeded to the rear of the second floor of the home. The first officer in line, Parole Officer Canario, identified himself, knocked on the door, and asked § 87(2)(b) to come out. Other officers told Det. Thompson they saw § 87(2)(b) through the glass portion of the door. Det. Thompson heard screaming inside the apartment, but did not hear specific statements. The officers continued to command § 87(2)(b) to come out of the apartment. After approximately five minutes, Sgt. Castle gave approval for the “boom” to be used, which is a cylinder-shaped metal ram used to open doors. Det. Thompson did not see which officer used the “boom.” The officers then entered the apartment.

Sgt. Castle (BR 13) § 87(2)(g) added that he heard § 87(2)(b)'s voice from inside the apartment, which he recognized from videos on Facebook. Sgt. Castle did not remember who made the decision to forcibly enter the apartment. Sgt. Castle did not see which officer had possession of the ram, which was used to open the door.

§ 87(2)(g) Det. Langellotti added that he saw § 87(2)(b) inside the apartment through the glass panels on the door. Det. Langellotti did not know who made the decision to forcibly enter the apartment, but said it was likely made by a supervisor.

Det. Condello (BR 15) said that an officer, whom he could not identify, relayed to him that the first-floor occupant indicated that § 87(2)(b) lived at the location and was present in the second-floor apartment. Once at the door, the officers told § 87(2)(b) they had a warrant and asked him to open the door, but § 87(2)(b) refused to open the door.

The arrest warrant for § 87(2)(b) (BR 17) was generated on October 26, 2018, but did not list any address for § 87(2)(b). The warrant was vacated on November 6, 2018 after § 87(2)(b)'s arrest.

In order to effect an arrest pursuant to a warrant, the police officer may enter any premises in which he reasonably believes the defendant to be present; provided, however, that where the premises in which the officer reasonably believe the defendant to be present is the dwelling of a third party who is not the subject of the arrest warrant, the officer shall proceed in the manner specified in article 690. Before such entry, the officer must give notice of his authority and purpose to an occupant thereof. If the officer is authorized to enter premises and after giving such notice he is not admitted, he may enter such premises and by a breaking if necessary. N.Y. Crim. Proc. Law § 120.80 (BR 18).

Police officers lawfully entered the defendant's house to execute a bench warrant for the defendant's brother, as the officers reasonably believed that the brother, who resided at the same house, was present when they entered. People v. Jones 99 A.D.3d 1254 (2012) (BR 19).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation (G) Abuse of Authority: Detective Joseph Condello threatened § 87(2)(b) and § 87(2)(b) with the use of force.

Allegation (H) Abuse of Authority: Detective Joseph Condello threatened § 87(2)(b) with the use of force.

Allegation (I) Abuse of Authority: Detective Joseph Condello threatened § 87(2)(b) with the use of force.

§ 87(2)(b) (BR 11) said that Det. Condello pointed his taser at her, § 87(2)(b) and all five of her children. § 87(2)(b) did not allege that an officer pointed his taser during the incident.

§ 87(2)(b) provided a cell phone video that was taken by one of her daughters (BR 20-21). The video opens with § 87(2)(b) speaking with § 87(2)(b) who is kneeling on the ground with his hands on his head. A black male officer, identified as Parole Officer Canario, is near a glass-paned door with his gun drawn and a black shield. Parole Officer Canario holsters his weapon, puts down the shield and approaches § 87(2)(b) and § 87(2)(b) (<<00:00 – 00:10>>). Parole Officer Canario lifts § 87(2)(b) up by his arm. § 87(2)(b) also holds § 87(2)(b)'s arm. Parole Officer Canario then places his hand on the back of § 87(2)(b)'s neck and pushes his neck downward. Parole Officer Canario puts § 87(2)(b) on the ground in the next room. § 87(2)(b) moves around what appears to be a television. As she does so, Det. Candello extends his left hand to stop § 87(2)(b) and has his taser pointed at her center mass. Children scream and cry in the background. The video then ends (<<00:10 – 00:19>>).

Det. Langellotti, Sgt. Castle, and Det. Condello (BR 13-15) all stated that upon entering the apartment, § 87(2)(b) had all of his children either surrounding him or on top of him. Det. Langellotti specified that § 87(2)(b) “used his children as shields.”

Det. Condello (BR 15) said that upon entering the apartment, § 87(2)(b) and an approximately 18-year-old male were standing next to § 87(2)(b) and the male approached the officers and stood in the way, preventing the officers from reaching § 87(2)(b). The officers gave § 87(2)(b) several commands to “get out from under the kids,” but § 87(2)(b) refused to do so. Three to four officers, who Det. Condello could not identify, then approached § 87(2)(b) and picked the children up off § 87(2)(b)'s lap. Det. Condello removed his taser and pointed it at § 87(2)(b) as he was refusing to comply with the officers’ commands. Det. Condello wanted to use a nonlethal device because there were children inside the apartment. Det. Condello did not turn the taser on, as he would only do so right before he was about to use it.

Once § 87(2)(b) was in handcuffs, § 87(2)(b)'s older children tried to prevent the officers from removing § 87(2)(b) from the apartment. Det. Condello told the children to “stay away” and “step back,” but they did not comply. Det. Condello “could have” pointed the taser at the members of § 87(2)(b)'s family, but he did not have a specific recollection of doing so.

Det. Condello reviewed the cell phone video footage and confirmed at the 00:17 mark that he is the officer with the taser pointed. Det. Condello could not tell where he was pointing the taser based on the angle of the footage. Det. Condello never intentionally pointed the taser at § 87(2)(b).

CEWs (Conducted Electrical Weapons) should only be used against persons who are actively resisting, exhibiting active aggression, or to prevent individuals from physically injuring themselves or other persons. Active aggression consists of a threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent. It is strictly prohibited to use the CEW on persons as a form of coercion or punishment and on persons who passively resist (e.g. going limp, offering no active physical resistance). The CEW should generally not be used on children. NYPD Patrol Guide Procedure 221-08 (BR 22).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation (J) Force: An officer used physical force against § 87(2)(b)

Allegation (K) Discourtesy: An officer spoke discourteously to § 87(2)(b)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g) § 87(2)(b) said that an officer, described as a white male, 5'10" to 5'11" tall, approximately in his early 50s, with average build, and wearing a black baseball cap and windbreaker, put his knee in § 87(2)(b)'s back and punched him one time in the left side of his face, while Parole Officer Canario handcuffed him. § 87(2)(b) could not describe the white male officer further. § 87(2)(b) attributed the punch to Parole Officer Canario.

§ 87(2)(b) said that when § 87(2)(b) was brought out of the apartment, she continued to ask the officers, "Why are you doing this? What's going on?" An officer, described as a white male with gray hair, 6'1" to 6'2" tall, stocky build, approximately in his 50s, and wearing a plaid flannel shirt and jeans, responded, "Shut the fuck up." § 87(2)(b) said that Parole Officer Canario responded, "You already know what the fuck he did," and did not say an officer told § 87(2)(b) to "shut the fuck up."

Det. Thompson, Sgt. Castle, Det. Langelotti, and Det. Condello, who are all white males ranging from 40 years old to 52 years old, denied punching § 87(2)(b) or seeing any other officer do so. All of the officers denied using profanity during the incident.

§ 87(2)(b), § 87(2)(g)

Allegation (L) Abuse of Authority: Detective Richard Thompson failed to show the arrest warrant to § 87(2)(b)

§ 87(2)(b) (BR 11) said that throughout the incident, she asked all the officers to see the warrant, but they all ignored her. § 87(2)(b) made no mention that § 87(2)(b) asked to see the arrest warrant or that an officer refused to show it to her.

Det. Thompson (BR 12) said he had a copy of the arrest warrant on his person, but that § 87(2)(b) never asked him to see it. Det. Thompson is only required to show the arrest warrant to the subject of the warrant.

Upon request of the defendant, the officer must show him the warrant if he has it in his possession. The officer need not have the warrant in his possession, and, if he has not, he must show it to the defendant upon request as soon after the arrest as possible. N.Y. Crim. Proc. Law § 120.80 (BR 18).

§ 87(2)(b), § 87(2)(g)

Allegation (M) Abuse of Authority: An officer entered § 87(2)(b) § 87(2)(b) § 87(2)(b)

§ 87(2)(b) (BR 11) said that once § 87(2)(b) was placed into a police vehicle, she and her children went back upstairs to their apartment. § 87(2)(b) was on the phone with attorneys, when § 87(2)(b) told her that an officer was back inside the apartment. § 87(2)(b) then saw that the officer, described as a white male with gray hair, 6'1" to 6'2" tall, stocky build,

approximately in his 50s, and wearing a plaid flannel shirt and jeans, had dropped some belongings near the door, including an EZ-Pass. The officer did not alert § 87(2)(b) that he was back inside the apartment.

As § 87(2)(b) did not allow the investigation to interview § 87(2)(b) a statement was not obtained from him.

Det. Thompson, Sgt. Castle, Det. Langellotti, and Det. Condello (BR 12-15) denied reentering the apartment to obtain dropped belongings and all denied having any knowledge of another officer doing so.

§ 87(2)(b), § 87(2)(g)

Allegations Not Pleaded

- § 87(2)(b) and § 87(2)(b) both stated that all of the officers pointed their guns at them and their children. This allegation was subsumed with the entry.
- § 87(2)(b) and § 87(2)(b) alleged that a black male officer grabbed § 87(2)(b) by his neck, put him on the ground, and kicked him. § 87(2)(b) alleged that he asked this officer if he had a warrant and this officer replied, “I don’t give a fuck about no fucking warrant. You’re a fucking coward.” § 87(2)(b) also alleged that he asked this officer for his name, but the officer said, “You’ll see me when you get out.” The investigation determined this officer to be Parole Officer Canario. § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) and § 87(2)(b) have been a party (BR 04-10).
- Det. Thompson has been a member of service for 26 years and has been a subject in 12 prior CCRB complaints and 15 allegations, one of which was substantiated.
 - 200711810 involved a substantiated allegation of premises entered and/or searched against Det. Thompson. The Board recommended charges and the NYPD did not impose discipline.
- Sgt. Castle has been a member of service for 17 years and has been a subject in six prior CCRB complaints and 17 allegations, none of which was substantiated. § 87(2)(g)
- Det. Langellotti has been a member of service for 26 years and has been a subject in four prior CCRB complaints and nine allegations, none of which was substantiated. § 87(2)(g)
- Det. Condello has been a member of service for 25 years and has been a subject in one prior CCRB complaint and one allegation, which was not substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- As of April 5, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being riled in regard to this complaint (BR 01).
- § 87(2)(b), § 87(2)(c) [Redacted]
- § 87(2)(b), § 87(2)(c) [Redacted]

Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date